

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

BENJAMIN COTTON, on behalf of  
himself and others similarly situated,

Plaintiff,

v.

ACKERMAN WRECKER SERVICE, INC.  
and WALTER GLEN SMITH,

Defendants.

CIVIL ACTION NO. 5:15-cv-00466-LJA

**JOINT MOTION TO APPROVE SETTLEMENT**

Plaintiffs Benjamin Cotton (“Cotton”) and Chance Croft (“Croft”) (collectively “Plaintiffs”) and Defendants Ackerman Wrecker Service, Inc. and Walter Glenn Smith (“Defendants”) (collectively, the “Parties”), by their undersigned counsel, respectfully jointly move this Court to: (1) conduct a review of the proposed General Release and Settlement Agreements (“Settlement Agreements”) which the Parties are concurrently filing with the Court; (2) approve the Settlement Agreements entered into between the Parties; and (3) enter an Order dismissing with prejudice all of the claims alleged in the lawsuit against Defendants by Plaintiffs. In support of this Motion, the Parties submit a Memorandum of Law and incorporate it by reference.

The Parties respectfully request that this Court grant this Motion and enter the proposed Order approving the Settlement Agreements and dismissing this action with prejudice.

Respectfully submitted this 17th day of March, 2017.

/s/ Regan Keebaugh

Regan Keebaugh  
Georgia Bar No. 535500

/s/ Jennifer B. Miller

Jennifer B. Miller  
Georgia Bar No. 614520

Email: [regan@decaturlegal.com](mailto:regan@decaturlegal.com)

RADFORD & KEEBAUGH, LLC  
315 W. Ponce de Leon Ave.  
Suite 1080  
Decatur, Georgia 30030  
Telephone: 678.271.0300

ATTORNEY FOR PLAINTIFFS

L. Traywick Duffie  
Georgia Bar No. 231950  
Emily D. Shoda  
Georgia Bar No. 669601

LITTLER MENDELSON, P.C.  
3344 Peachtree Road N.E.  
Suite 1500  
Atlanta, Georgia 30326  
Phone: (404) 233-0330  
Facsimile: (404) 233-2361  
Email: [tduffie@littler.com](mailto:tduffie@littler.com)  
Email: [eshoda@littler.com](mailto:eshoda@littler.com)  
Email: [jbmiller@littler.com](mailto:jbmiller@littler.com)

ATTORNEYS FOR DEFENDANTS

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

BENJAMIN COTTON, on behalf of  
himself and others similarly situated,

Plaintiff,

v.

ACKERMAN WRECKER SERVICE, INC.  
and WALTER GLEN SMITH,

Defendants.

CIVIL ACTION NO. 5:15-cv-00466-LJA

**CERTIFICATE OF SERVICE**

I certify that on this 17th day of March, 2017, I electronically filed the foregoing **JOINT MOTION TO APPROVE SETTLEMENT** with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to counsel of record as follows:

Regan Keebaugh  
RADFORD & KEEBAUGH, LLC  
315 W. Ponce de Leon Ave.  
Suite 1080  
Decatur, Georgia 30030  
[regan@decaturlegal.com](mailto:regan@decaturlegal.com)

*/s/ Jennifer B. Miller*

\_\_\_\_\_  
Jennifer B. Miller  
Georgia Bar No. 614520  
ATTORNEY FOR DEFENDANTS